

**February 4, 2003**

**HR Directors:**

Attached is an updated version of proposed changes to K.A.R. 1-6-29, acting assignments. You have previously seen the changes proposed except for the change to subsection (i) on page 2, which we are running by you today.

The change we propose would provide the appointing authority, in those instances in which an employee serving in an acting assignment is promoted, with the discretion to keep the employee's pay at the same level (as paid for the acting assignment), or to increase the employee's pay.

It seems logical to us for an agency to be cautious in providing an increase for an acting assignment and to learn, during the term of that acting assignment, that the employee's performance warrants a larger increase when promoted.

We believe this change is in line with the other changes we have proposed to increase the system's flexibility.

Please send your thoughts on this proposed change to Kraig Knowlton, [kraig.knowlton@da.state.ks.us](mailto:kraig.knowlton@da.state.ks.us). Thanks.

**Jack**

Attachment

**1-6-29. Acting assignments.** When a classified position is vacant or the incumbent is unable to perform the work for an extended period of time and requires the temporary assignment of an employee who has permanent status in another position, the appointing authority may proceed, based on the following principles.

(a) The appointing authority shall initiate action to fill the position on a permanent basis, if the incumbent has permanently vacated the position. However, the appointing authority may delay filling the position because of a shortage of funds.

(b) An acting assignment may be used only when there are no other viable alternatives.

(c) The assignee shall meet the required selection criteria for the class of positions.

(d) Acting assignments shall not be used to generate a series of acting assignments for an employee.

(e) An acting assignment shall not exceed one year in length unless approved by the director. Acting assignments shall not be retroactive. The acting assignment procedure shall not be used for a short duration, temporary assignment of an employee for fewer than 30 days.

(f) Documentation of the acting assignment shall be placed in the employee's permanent record.

(g) (1) If an employee is acting in a position assigned to a pay grade higher than that of the employee's normal position, the employee shall be paid at a step on the higher grade that gives the employee an increase in pay. Such an increase shall not exceed the highest step possible if the employee was being promoted to the position. For the duration of an acting assignment, the employee may receive pay step increases in accordance with applicable pay step increase regulations.

(2) When the acting assignment is terminated and the employee is returned to the former class, the employee's pay shall revert to whatever rate, in dollar amount, it would have been had the employee not received the acting assignment.

(3) Neither the employee's pay increase date nor the employee's status in the normal position shall be affected by an acting assignment.

(h) (1) If an employee is acting in a position assigned to the same pay grade as, ~~or to a pay grade lower than,~~ that of the employee's normal position, ~~the employee shall be paid~~ appointing authority may compensate the employee at a higher rate of pay than the employee is paid in the employee's normal position when the acting assignment requires higher skills, abilities or

exceptional qualifications, education, training, experience or skills or otherwise if in the best interests of the agency. Nothing in this regulation shall authorize pay above the maximum step of the pay grade. The employee's time on step will start over if assigned to a higher step under this subsection.

(2) If an employee is acting in a position assigned to a pay grade lower than that of the employee's normal position, the employee shall be paid at the employee's normal pay rate.

(3) For the duration of an acting assignment, the employee may receive pay step increases in accordance with applicable pay step increase regulations.

(i) If the employee is promoted to a position in which the employee has served in an acting assignment, ~~the pay shall remain at the amount paid during the acting assignment, and~~ any accumulated months shall count towards the next pay increase. The time served in the acting assignment may be credited towards the promotional probationary period.

~~(j) In a manner prescribed by the director, the appointing authority shall report to the director all acting assignments made by the appointing authority pursuant to this regulation.~~  
(Authorized by K.S.A. 1996 Supp. 75-3747; implementing K.S.A. 1996 Supp. 75-2938 and K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1983; amended May 1, 1984; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended May 1, 1987; amended Jan. 6, 1992; amended Dec. 17, 1995; amended Oct. 24, 1997; amended P-\_\_\_\_\_.)